

Mayor Perry stated that these items would only be enforced when there is a definite problem. Councilman Stewart stated that in regard to the 2500 sq. ft. in Item F, it might be difficult to adhere to the 2500 sq. ft. situation. He stated that now there needs to be a compromise on the illegal units. On the illegal units, Councilman Anderson suggested either (1) the ordinance remain as is or (2) the question of legalizing illegal non-conforming uses be submitted to the voters. Councilman Stewart would like to change the ordinance and not allow it to remain as it is. Regarding submitting it to the voters, he feels this matter is the responsibility of the City Council and should not go to the voters. Mayor Perry requested that Mr. Kaepfel prepare a resume' of the policy points of agreement in connection with the recommendations on legal non-conforming uses for the next council packet. Councilman Stewart stated that he and Councilman Anderson could not agree on the matter of the illegal units and he would like to change the ordinance and not allow it to remain as it is. In regard to turning the matter over to the voters, he said that it is the responsibility of the City Council to handle the matter and it should not go to the voters and opposes that way of handling it. He went on to say that some could be legalized and cannot know how many until there is a survey--there would be some cases on a transfer of property that could be considered by the city and this could be subject to airing by the Planning Commission. Councilman Anderson stated he would not make that compromise because the same problems would still be there. He further said that since no one else has come up with anything better, or anything else at all for that matter, he proposes that the ordinance either remain as is or the whole thing be submitted to the voters. Mayor Perry said he would entertain a motion to direct the staff to prepare a proposed valid question which states the issues upon which we can vote as to whether or not it can ultimately be submitted to the public. Councilman Capurro said the decision belongs to the City Council to decide and further stated that he voted against illegal uses for two years but is open for a compromise. Councilman Stewart wants to avoid putting the matter on the ballot--stating it is the responsibility of the City Council and it is very complicated. Councilman Blinder said that the Proposition could be placed on the ballot in a neutral way but went on to say that the City Council should give the problem one more try before doing that. He proposed some kind of a defining of the legalizing of illegal uses. Mayor Perry requested the staff to write the ballot proposal statement and Councilman Blinder will try to work on a compromise between Councilmen Anderson and Stewart to avoid taking the matter to the ballot.

i.

INTERIM EMERGENCY ORDINANCE PROHIBITING ANY USE OR REZONING OF REAL PROPERTY WHICH MAY BE IN CONFLICT WITH CONTEMPLATED ZONING PROPOSALS AND GENERAL PLAN REVISIONS

M/S Blinder, Stewart that the Interim Emergency Ordinance as prepared by the Planning Commission be read and accepted tonight amended as described.

Councilman Capurro is against the ordinance stating he doesn't think it is legal and wants a Public Hearing. He further stated he is not in favor of tying up lots for Open Space and putting a ban on building. Councilman Anderson would rather see this handled a year at a time. Councilman Blinder withdrew his motion.

The decision was made to hold a Public Hearing at the next regular City Council meeting. (Ord. No. 637)

j. APPROVAL OF MATCHING FUNDS WITH SCHOOL DISTRICT FOR TENNIS COURTS

Gary Howell asked permission to meet with the school officials and get the details to be presented to the City Council.

M/S Stewart, Blinder that Gary Howell be authorized to take steps that are necessary to bring about the mutual funding of the tennis courts at Red Hill School between the City and the school people subject to final approval by the Council for the sum of \$8,000. Passed unanimously.

k. DISCUSSION OF BALANCED TRANSPORTATION REPORT (Mr. Stewart) - Put over

l. REQUEST OF LIBRARY BOARD FOR PREPARATION OF CONTRACT FOR REMODELING BY CITY ENGINEER

M/S Anderson, Stewart to direct the City Engineer to prepare plans and specifications and to advertise for bids for remodeling the Library as approved in the 1972-73 budget. Passed unanimously.

m. POLICY FOR INTERVIEWING AND ENGAGEMENT OF CONSULTANT TO PREPARE NOISE ORDINANCE

Mr. Leitzell is to interview those firms who meet the requirements specified and he will then make a recommendation.

n. REPLACEMENT OF COPY MACHINE

M/S Stewart, Anderson to authorize the Administrator to replace the copy machine as deemed most advantageous to solve the noise problem in the office and obtain maximum production. Passed unanimously.

o. RESOLUTION AUTHORIZING AGREEMENT FOR PURCHASE OF TAX-DEEDED PROPERTY (Res. 1416)

Mr. Kaepfel read the Resolution in full.

M/S Anderson, Capurro for adoption of Resolution No. 1416 authorizing agreement for the purchase of tax-deeded property from the County of Marin. Passed unanimously.

p. ORDINANCES

1. Parcel Map Ordinance (2nd. Reading): Read by title only by Mr. Kaepfel. (Ord. 635)

M/S Anderson, Capurro to waive further reading. Passed unanimously.

M/S Anderson, Stewart to adopt Ordinance No. 635. Passed unanimously.

2. Ordinance approving amendment to contract with Public Employees' Retirement System (1st. Reading) Mr. Kaepfel read as follows: "An Ordinance of the City Council of the City of San Anselmo authorizing an Amendment to the Contract between the City Council of the City of San Anselmo and the Board of Administration of the California Public Employees' Retirement system."

q. CONSENT AGENDA:

1. Minutes of September 12, 1972. Councilman Anderson made the following corrections:

m. ORDINANCES: 1. Parcel map ordinance: "subdivided" should read "subdividable".

Item 4 - same section: should read: "to Single Family Residence District (R-1) on Sir Francis Drake Blvd., portions of A/P 5-224-16 & 17 (Cordone)"

M/S Anderson, Stewart to approve Consent Agenda as corrected. Passed unanimously.

Meeting adjourned at 11:50 P.M.

Helen Ragan
City Clerk